

App. No. 10/788,989  
Amendment Dated October 6, 2006  
Reply to Office Action of July 14, 2006

RECEIVED  
CENTRAL FAX CENTER

OCT 06 2006

**REMARKS/ARGUMENTS**

Claims 1, 6-8, 9, 14, 16-17, 18 and 25-31 remain in this application for further review. The claims have been amended as set forth above. No new matter has been added.

**I. Examiner Interview Dated September 6, 2006**

An Examiner Interview has held on September 6, 2006. During the interview, applicants discussed the claim changes herein and how the changes distinguish the cited references. Although an agreement was not reached, applicants discussed elements for moving prosecution forward in this matter. Applicants believe that the changes and arguments herein reflect those discussions.

**II. Objection to the Drawings**

The drawings are objected to under 37 C.F.R. 1.83(a). The claims have been amended as set forth above. Applicants believe that the objection is now moot and should be withdrawn.

**III. Rejection Under 35 U.S.C. §112, First Paragraph**

Claims 1, 4, 6-9, 12, 14, 16-18 and 24-31 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims have been amended as set forth above. Applicants believe that the rejection is now moot and should be withdrawn.

**IV. Removal of Reference**

The current application and U.S. Publication No. 2003/0164862 A1 published to Cadiz et al., (hereinafter "Cadiz") were, at the time the invention of the current application, owned by Microsoft Corporation of Redmond, Washington (Reel/Frame: 011661/0856). Accordingly, applicants request removal of the reference.

**V. Rejection of Claims 1, 6, 9, 14, 18 and 26-28 under 35 U.S.C. 103(a)**

Claims 1, 6, 9, 14, 18 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2004/0198455 published to Deeds (hereinafter "Deeds").

App. No. 10/788,989  
Amendment Dated October 6, 2006  
Reply to Office Action of July 14, 2006

Applicants respectfully disagree with the rejection. Independent claim 1 has been amended to include the following features that are not taught or suggested by the cited references:

providing a software application on a computing device, wherein the software the software application associates a function with a soft key according to an incoming event notification, wherein the function of the soft key is selectable by receiving an input from a hardware button;

*associating a color scheme with the software application to indicate that the function of the soft key is associated with the hardware button;*

receiving an incoming event notification that instantiates the software application on the computing device, wherein the software application determines *software functionality options for the software key for responding to the incoming event notification*; and

*illuminating the soft key and the hardware button on the computing device according to the color scheme to indicate that the hardware button is associated with the soft key functionality for responding to the incoming event notification.*

As a few examples from the specification, the above features are supported as follows:

"FIGURE 5 illustrates an embodiment of an example mobile communication device for using a color scheme to communicate brand extension of mobile partners (e.g., service providers, operator equipment manufacturers). Mobile device 500 is shown as it might appear in an inactive state. A home page appears on display 510. The mobile service provider of mobile device 500 may illuminate the home page and keypad 520 in a color scheme that triggers brand association. For example, the Microsoft Corporation of Redmond, Washington is primarily associated with the colors blue, red, green and yellow.

Mobile device 530 is shown as it might appear when a phone call is received through a different mobile operator that has a different color associated with its brand. For example, the mobile service provider, Vodaphone®, uses the color red to trigger brand identification. The Vodaphone® brand is communicated to the user of mobile device 530 by illuminating display 540 and corresponding hardware buttons 550 in red (as indicated by the diagonal line pattern). The color scheme communicates to the user which hardware elements and software functions of mobile device 530 are triggered by the incoming call. The illumination of hardware buttons 550 also cues the user as to which action is required next. For example, illuminating hardware buttons 550 notifies the user which button should be depressed to answer or ignore the incoming call.

App. No. 10/788,989  
Amendment Dated October 6, 2006  
Reply to Office Action of July 14, 2006

In another example, a user may access another mobile service provider's instant messenger application. Interaction with the application causes the illumination of corresponding portions of the display and hardware keys to match the branding color scheme associated with the service provider. The color scheme communicates information to the user about which brand associated with an operator furthers the message.

Using a color scheme to communicate information associated with an event and related to the integration of hardware and software in a mobile device may be extended into other realms. For example, when a calendar reminder is received that notifies the user that a meeting is overdue, the color of the software element of the reminder may be shown in red on the user interface. A corresponding hardware button, which allows the user to dismiss the reminder, may also be illuminated in red." *Specification*, at pg 9, line 4 - pg 10, line 4.

Applicants assert that the combination of features recited in Independent claim 1 is not taught or suggested by the cited references. Deeds teaches illumination of a mobile station based upon color schemes associated with at least one predetermined entry in the directory. *Deeds*, at para. 0043. Applicants can find no teaching of "associating a color scheme with the software application to indicate that the function of the soft key is associated with the hardware button." Also, applicants can find no teaching of "illuminating the soft key and the hardware button on the computing device according to the color scheme to indicate that the hardware button is associated with the soft key functionality for responding to the incoming event notification." Deeds does not teach association of response functionality to a hardware button by a color scheme in the manner provided by independent claim 1. Accordingly, applicants assert that claim 1 is allowable over Deeds.

Independent claim 9 has been amended to include the following features that are not taught or suggested by the cited references:

- a software element associated with a user interface display of the mobile computing device, wherein:

- the software element is coupled to the memory,

- the software element *corresponds to the incoming event notification*,

- the software element instantiates when the incoming event notification associated with the software element is received, wherein the software element determines

App. No. 10/788,989  
Amendment Dated October 6, 2006  
Reply to Office Action of July 14, 2006

*software functionally options for a soft key for responding to the incoming event notification,*

*the software element associates a function with a soft key, wherein the function associated with the soft key is selected by receiving an input from a hardware button,*

*the software element has an associated color scheme, and*

*the color scheme indicates that the function of the soft key is associated with the hardware button;*

*an illuminating element coupled to the memory; and*

*the hardware button coupled to the illuminating element, wherein:*

*the hardware button and the soft key are illuminated on the mobile computing device according to the color scheme to indicate that the hardware button is associated with the soft key functionality for responding to the incoming event notification.*

Applicants assert claim 9 is supported by the citation above. The combination of features recited in Independent claim 9 is not taught or suggested by the cited references. Deeds teaches illumination of a mobile station based upon color schemes associated with at least one predetermined entry in the directory. Deeds, at para. 0043. Applicants can find no teaching that "the software element instantiates when the incoming event notification associated with the software element is received, wherein the software element determines software functionally options for a soft key for responding to the incoming event notification." Also, applicants can find no teaching that "the software element associates a function with a soft key, wherein the function associated with the soft key is selected by receiving an input from a hardware button" Moreover, independent claim 9 recites that "the color scheme indicates that the function of the soft key is associated with the hardware button" and that "the hardware button and the soft key are illuminated on the mobile computing device according to the color scheme to indicate that the hardware button is associated with the soft key functionality for responding to the incoming event notification." Deeds does not teach association of response functionality to a hardware button by a color scheme in the manner provided by independent claim 9. Accordingly, applicants assert that claim 9 is allowable over Deeds.

App. No. 10/788,989  
Amendment Dated October 6, 2006  
Reply to Office Action of July 14, 2006

Independent claim 18 has been amended to include the following features that are not taught or suggested by the cited references:

means for providing a software application on a computing device, wherein the software application *includes a brand*, wherein the software application associates a function with a soft key according to an incoming event notification, wherein the function of the soft key is selectable by receiving an input from a hardware button;

means for associating a color scheme with the software application to *indicate a brand and to indicate that the function of the soft key is associated with the hardware button*;

means for receiving an incoming event notification that instantiates the software application on the computing device, wherein the software application determines *software functionality options for the software key for responding to the incoming event notification*; and

*means for illuminating the soft key and the hardware button on the computing device according to the color scheme to indicate the brand and to indicate the hardware button associated with the soft key functionality for responding to the incoming event notification.*

Applicants assert claim 18 is supported by the citation above. The combination of features recited in Independent claim 18 is not taught or suggested by the cited references. Deeds teaches illumination of a mobile station based upon color schemes associated with at least one predetermined entry in the directory. *Deeds*, at para. 0043. Applicants can find no teaching of a "means for associating a color scheme with the software application to indicate that the function of the soft key is associated with the hardware button." Also, applicants can find no teaching of a "means for receiving an incoming event notification that instantiates the software application on the computing device, wherein the software application determines software functionality options for the software key for responding to the incoming event notification." Moreover, applicants can find no teaching of a "means for illuminating the soft key and the hardware button on the computing device according to the color scheme to indicate the brand and to indicate the hardware button associated with the soft key functionality for responding to the incoming event notification" Deeds does not teach association of response functionality to a hardware button by a color scheme in the manner provided by independent claim 18. Also,

App. No. 10/788,989  
Amendment Dated October 6, 2006  
Reply to Office Action of July 14, 2006

Deeds does not teach brand association. Accordingly, applicants assert that claim 18 is allowable over Deeds.

Regarding dependent claims 6, 14 and 26-28, applicants assert that those claims include elements not taught or suggested by Deeds. Also, those claims ultimately dependent from the independent claims. As such, applicants assert that they should be found allowable for at least the same reasons set forth above.

**VI. Rejection of Claims 7, 16, and 25 under 35 U.S.C. 103(a)**

Claims 7, 16, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deeds in view of U.S. Publication No. 2002/0019248 published to Ruck (hereinafter "Ruck"). Applicants respectfully disagree with the rejection. There is no suggestion in either of the references that they may be combined in the manner propounded. Even if a suggestion does exist for argument purposes, the claims include features not taught by the cited references. Moreover, claims 7, 16 and 25 ultimately depend from independent claims 1 and 9, respectively. As such, applicants assert that they should be found allowable for at least the same reasons set forth above in support for the independent claims.

**VII. Rejection of Claims 4, 12, 24 and 29-31 under 35 U.S.C. 103(a)**

Claims 4, 12, 24 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deeds in view of U.S. Publication No. 2004/0204125 published to Messel et al. (hereinafter "Messel"). Applicants respectfully disagree with the rejection. Claims 4, 12 and 24 have been canceled as set forth above. With regard to claims 29-31, there is no suggestion in either of the references that they may be combined in the manner propounded. Even if a suggestion does exist for argument purposes, the claims include features not taught by the cited references. Moreover, claims 29-31 ultimately depend from independent claims 1, 9 and 18, respectively. As such, applicants assert that they should be found allowable for at least the same reasons set forth above in support for the independent claims.

App. No. 10/788,989  
Amendment Dated October 6, 2006  
Reply to Office Action of July 14, 2006

RECEIVED  
CENTRAL FAX CENTER

OCT 06 2006

**VIII. Rejection of Claims 8 and 17 under 35 U.S.C. 103(a)**

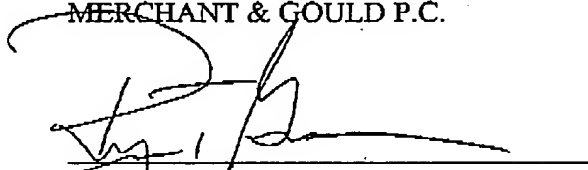
Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deeds in view of Cadiz. As set forth above, Cadiz has been removed as a reference. Accordingly, applicants request withdrawal of the rejection and allowance of claims 8 and 17.

**IX. Request For Reconsideration**

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

  
Ryan T. Grate  
Registration No. 52,956  
Direct Dial: 206.342.6258

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
206.342.6200

**27488**  
PATENT TRADEMARK OFFICE